

REMARKS

Claims 1-15 are pending in the present application. Claims 6-8 are withdrawn from consideration. Claims 1-5 and 9-15 are rejected. Claims 1, 5 and 15 are herein canceled. Claims 2-4 and 12-14 are herein amended. No new matter has been presented.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-5 and 9-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto (JP 07-134212) in view of Kitamura et al. (JP 07-198945).

The Examiner concedes that Matsumoto fails to teach that the polyvinyl alcohol-based resin has an acetoacetyl group. The Examiner notes that Kitamura et al. teaches that it is known to introduce acetoacetyl groups to polyvinyl alcohol-based resin adhesives for the purpose of providing the desired moisture resistance. The Examiner concludes that it would have been obvious to introduce acetoacetyl groups to polyvinyl alcohol-based resin additives of Matsumoto for the purpose of providing moisture resistance to the PVA resin of Matsumoto.

Applicants herein amend the claims to clarify the invention. Thereafter, Applicants respectfully disagree with the rejections, and particularly disagree that one would have combined the references as cited. Applicants submit that one would not have been motivated to combine crosslinking agent relative to AA-PVA that exceeds 30 parts by weight.

Applicants note that that paragraph [0024] of Kitamura et al. teaches that its crosslinking agent is present in an amount of 0.1 to 30 parts by weight with respect to the AA-ized PVA resin. On the other hand, the present invention claims an amount of crosslinking agent in the range of

more than 30 parts by weight and 46 parts by weight or less relative to 100 parts by weight of the PVA-based resin.

As noted out by the Examiner, Kitamura et al. describes in paragraph [0024] that 0.1 to 30 parts by weight of a crosslinking agent is used relative to 100 parts by weight of AA-PVA and that “the excellent tackiness of the present invention cannot be obtained when the amount of the crosslinking agent exceeds 30 parts by weight due to shortening of the usable time.”

From the above, paragraph [0024] of Kitamura eliminates combining the amount of crosslinking agent relative to AA-PVA which exceeds 30 parts by weight. Accordingly, even if Matsumoto (JP07-134212) discloses that 1 to 65 parts by weight of a crosslinking agent is used relative to 100 parts by weight of PVA, since Matsumoto does not disclose nor suggest AA-PVA, it is would have been impossible to conceive of using a crosslinking agent in an amount exceeding 30 parts by weight concomitantly with AA-PVA.

With respect to the thickness of adhesive layer being 1 to 95 nm, Applicants note that Examples of Matsumoto describes, in paragraph [0019], the thickness of the polarizing plate (about 0.1 μm : 100 nm) and the thickness of the adhesive layer being clearly different from that of the present invention. In addition, on page 5, line 21 to page 6, line 5 of the present application, Applicants note the description that the thickness of the adhesive of the present invention is preferably 1 to 95 nm in view of the appearance and the like.

As described above, the present invention is different from Matsumoto in terms of the amount of the crosslinking agent, and the invention solves the problem of appearance by adopting a range of the thickness of the adhesive layer that is not specifically disclosed in

Matsumoto. Based partly on this unpredictable effect, Applicants submit that the present invention would not have been obvious over the cited references.

In this connection, Table 2 in paragraph [0109] of the present application shows that the appearance was poor in Example 5 (thickness of adhesive layer: 310 nm) in contrast to Example 1 (thickness of adhesive layer: 80 nm).

To buttress this evidence, Applicants submit herewith additional Reference Example 1 in the attached Declaration under 37 C.F.R. §1.132. In additional Reference Example 1, more than 30 parts by weight of a crosslinking agent was used relative to 100 parts by weight of AA-PVA, but the thickness of the adhesive layer was 100 nm. The problem of poor appearance was observed in additional Reference Example 1.

From the above, it is understood that the problem of poor appearance is observed in comparison with Comparative Example 1 (23 parts by weight of a crosslinking agent was used relative to 100 parts by weight of AA-PVA) when the amount of the crosslinking agent relative to 100 parts by weight of AA-PVA is greater than 30 parts by weight and the thickness of the adhesive layer is 100 nm.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

Application No. 10/542,930
Attorney Docket No. 052805

Amendment under 37 C.F.R. §1.111
Amendment filed May 1, 2009

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Kenneth H. Salen

Attorney for Applicants

Registration No. 43,077

Telephone: (202) 822-1100

Facsimile: (202) 822-1111

KHS/adp

Attachment: Declaration under §1.132